IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Original Jurisdiction

Dated: Nainital the 13th day of November, 2002

Criminal Misc. Bail Application Number 1211of 2002

Order on the Bail Application

CRIMINAL SIDE

Nanhey son ofo Mr.Devi Dayal, r/o Kadaliya, P.S.Pati, district Hordoi, Presently residing at H.No.117, Gandhigram, P.S.Kotwali, Dehradun.

.....Applicant(s)

Versus

State of Uttaranchal. .....Opposite Party

Arising out of- Case crime no.538/81 of 2002,
Under Section 18/20, N.D.P.S.Act,
P.S.Kotwali,
district Dehradun

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant-accused and the Additional Government Advocate.

It is a case of recovery of 6 kg. of poppy husk from the possession of the applicant-accused. There is no criminal history against the applicant-accused. Considering the quantity of the contraband and the facts, there are reasonable grounds to accept at this stage the argument that the applicant has not committed the offence and there is no likelihood of his engaging himself in similar activity in future, if released on bail. In my opinion it is a fit case for bail.

Let the applicant Nanhey son ofo Mr.Devi Dayal, r/o Kadaliya, P.S.Pati, district Hardoi, presently residing at H.No. 117, Gandhigram, P.S.Kotwali,Dehradun be released on bail in case crime no.538/81 of 2002,under Section 18/20, N.D.P.S.Act, P.S.Kotwali, district Dehradun on his filing a personal bond and adequate sureties to the satisfaction of Special Judge, Dehradun.

(Irshad Hussain, J.)

13.11.02./B.